International War Crimes Tribunal
Commission of Inquiry Hearing, London 1 December 1991

The hearing of testimonies given by 25 persons including university professors, public figures, writers, media workers, film producers and others covering a wide range of anti-war campaigners and activists for human rights and international law, was sponsored by the Commission of Inquiry for the International War Crimes Tribunal which had initially levelled against the US administration of President George Bush a host of grave charges of intentional and wilful violations of the norms of international conduct and breeches of the Geneva Conventions 'in a pattern of conduct beginning in or before 1989 intended to lead Iraq into provocations justifying US military action against Iraq and permanent US military domination of the Gulf'.

SARA FLOUNDERS, US Commission of Inquiry Organiser and National Coalition Staff Member in New York City, said the war the US waged in the Gulf was designed purely to divide the region's oil wealth, and their success in achieving this design has 'wildly emboldened' the closely allied US and UK in their unabated pursuit of total domination of the region. It will take a world-wide movement to stop their dangerous ambitions. The tribunal was therefore set up in March 1990 to hold inquiries in 35 cities around the world, exposing the war as purely a 'high tech slaughter of 300,000 Iraqis.' The inquiries are conducted on the basis of international law which was largely written by the US and the UK, who are themselves now violating its provisions by continuing the war in the name of unabated sanctions against Iraq. There is a mounting international campaign against the sanctions which are aggravating the infliction of hunger, disease and untold misery of the Iraqi people. The International Tribunal scheduled to meet in New York on 28/29 February 1992, the anniversary of the Gulf war, will focus on efforts not only to establish international peace but also to hear out the truth behind the Gulf war so that 'it is not the victors alone who will write the history of this war'.

SAHU BARRON, Commission of Inquiry Organiser in Washington DC and Washington head of the National Coalition to stop US intervention in the Middle East, said that the war carried out against the Iraqi people was a war of 'devastation, genocide and annihilation'. The world is only too familiar with devastation of wars of conquest and profit margins, but what distinguishes this Commission of Inquiry is the urge to ensure that such a war does not happen again. The game played out in Iraq can be re-enacted any time in Libya, Cuba or N. Korea. If Bush and his allies have their way our sons will again be plunged into another bloodbath. The inevitable consequences of the Gulf war are already in evidence in the growing racist attacks in many a country, particularly the US. 26 imperialist

countries waged the war. It will take the whole world to push them back.

SHAIKH RASHEED, Senior Vice Chairman of the People's Party of Pakistan, who participated in order to present the report of the People's Tribunal in Lahore in April 1991, paid tribute to Ramsay Clark whom he called a champion of humanity engaged in rescuing oppressed people anywhere and thanked him for pursuing a campaign for lifting the sanctions affecting 16 million Iraqi people. He said the Tribunal was set up to distinguish the oppressor from the oppressed, and expose the 'bloody' clutches of imperialists embarked on subjugating the Third World under the cloak of the 'New World Order'.

He said that the People's Tribunal of Pakistan held in Lahore to try George Bush comprised 3 senior advocates including himself as chairman was convened on 17 March 1991 and announced its judgement on 30 April. Notice was served on Bush under the terms of the London Charter of August 1945. The indictment against him included charges of:

1) crimes against peace and conspiracy of aggression
2) violation of laws of warfare in killing civilian population
3) crimes against humanity in terms of the London Charter of the International Tribunal which was set up after the Second World War to try war crimes.

George Bush did not appear before the tribunal. His defence said that the war was carried into Iraq to vacate its aggression in Kuwait. But this war had no geographical location and its consequences affected the whole world. It violated the Geneva Conventions, the codifieed international law and the law of proportionality. It was waged by blocking all avenues of peaceful resolution, with a determined intention to ruin Iraq. The murderous attacks killing 80,000 retreating Iraqi troops were evidence of the intended destruction. The Tribunal therefore held Bush personally liable for compensation of the damage inflicted and deserving of capital punishment.

RAMSAY CLARK, former US Attorney General, international head of the Commission of Inquiry, pointed out that the US destruction of Iraq that followed the US aggression in Panama only showed that the US has embarked on a rampaging path of worldwide intimidation and domination. He pointed out that the London Charter under which the International Tribunal was set up for trying war crimes at Nuremburg was drawn up only 2 days after the bombing of Hiroshima. At the Nuremburg trials Goering said that victors will always be judges and the vanquished will always be the accused. Ramsay Clark stressed that the purpose of the International Tribunal now set up is to show that Goering was wrong, just as Athens had failed before him because of the destruction it brought to Milos on the wrong assumption that the powerful will do as they will and the weak suffer as they must. In this day and age war crimes must be addressed

making victors accountable or else they would be a threat to humanity. That is precisely what happended in the Gulf. The US did not value Iraqi lives as much as it cared for its own. In Iraq was seen a repetition of Vietnam, wholesale destruction of civilian life and facilities. What came to pass in Iraq was no war. It was simply a systematic destruction and wholly one-sided, the persistent American aerial assaults remaining totally unopposed. In 110,000 air sorties over Iraq the US dropped 88,000 tons of bombs, the equivalent of 7 Hiroshima bombs. 60% of the bombing missions directly hit civilian targets. In all this only 38 American war planes were hit. The loss sustained by the US was next to nothing, even less than the accidental losses it suffers in any NATO war game.

The destruction of water supplies or electric generation, bridges, hospitals, sewerage, roads - a whole range of civilian facilities and infrastructure, for instance in Basra, Mosul, Baghdad and many other centres of population - which has brought widespread suffering from disease and illness caused by polluted water or exposure to the bitter cold because of power failure, can never be justified as anything to do with the vacation of Kuwait. Up and down the hospital corridors or civilian shelters all over Iraq it is commonplace to come across people mourning in sorrow or crying in pain, pain of suffering children whose limbs are being amputated without anaesthetic or surgery without pain killers by doctors without tools working with their hands without even gloves or enough water to sanitize their equipment. The spread of infection due to lack of water, gloves or alcohol has already taken a heavy toll of lives, mainly women, children and the old. By the Pentagon's own admission an estimated 150,000 Iraqis were killed by indiscriminate bombing. Super bombs were used, as they had been in the bombing raids over Libya in 1986 in an attempt to kill the head of state. Cluster bombs were used on cities and napalm bombs were dropped on helpless, retreating Iraqi soldiers who were buried alive in trenches by the thousand.

In the aftermath of such colossal death and destruction and a total breakdown of transport, communications, water, power and sewerage, Morasmus ,which is caused by near starvation and shrivels up bodies to almost nothing, is spreading. Children can be seen with bloated bellies and arms like twigs. Infant mortality of one year olds has more than doubled. Judging by the statistical fact of 750,000 births annually in the mid-Eighties, it is easy to imagine the number of children dying by the thousand as a consequence of the destruction of Iraq.

<u>How is it possible that in the face of all the evidence of such colossal suffering the UN Sanctions Committee continues to extend the imposition of sanctions directly causing the mounting toll of civilian deaths and disease, which arose because of the allied bombing in the first place? The</u>

conclusionis inescapable: that the UN itself is participating in this genocide.

The UN was made a tool in the service of implementing the US designs by bribing the Security Council members to vote in accordance with US dictates. The Soviet Union was given a bribe of $7 billion in return for not casting its veto against any of the resolutions that were rushed through the Security Council. Ethiopia, then a member of the Security Council and facing a civil war, was likewise offered $168 million in return for affirmative votes, which made up the required 2/3 rds majority of votes for the resolutions. In fact, when Yemen cast its vote against the crucial Security Council resolution 678, which came to be exploited as the main ploy for the bombing raids over Iraq, the US Ambassador told his Yemeni colleague that that negative vote would prove very costly to Yemen. The very next day the US announced its suspension of aid to Yemen and Saudi Arabia ordered the expulsion of 1 million Yemenis, even dragging 300 patients from their hospital beds.

All this goes to show that the need exists for democratisation of the UN General Assembly so that powers like the US may no longer be able to exercise cajolery or coercion, bribery or blackmail in using the UN to serve their own aims. To begin with this requires abolition of the Security Council itself whose limited membership makes the arm twisting much easier, and where the right to veto gives a handle to major powers to block any action against them.

TONY BENN, Member of Parliament, said the consequences of the Gulf war now coming to light are a reminder of the great responsibility which rests with the media which had gone along with the war. They should take care of what is now happening to prevent its repetition. The West has always tried to dominate the Middle East for its own interests. The Gulf war story is also riddled with hypocrisy. Saddam Hussain had told him that even if he withdrew from Kuwait the US would not refrain from destroying Iraq. The way the war was made inevitable by the US has shown that Saddam Hussain was right in his analysis. The way the US and its allies conducted the war only revealed the ruthlessness of modern military machinery. The destruction of human life and infrastructure was wrought to serve as a warning to others for generations to come not to challenge the US. There was no such thing as high tech precision attacks. It was indiscriminate bombing and the governments of Thatcher and Major had given the US war machine free access to bases in Britain from where to launch the air attacks. It was a repeat of the days when the Czar of Russia or the Kaiser of Germany or the Archduke, all grandsons of Queen Victoria, were oppressing the world without anyone talking of human rights. The people of the world have to unite to get control of the United Nations so that a popularly elected Assembly of the UN stops oppression and overturns the invidious system of veto in the Security

Council so that the US is restrained in its ambition to enslave the world.

Conclusion

The hearing of testimonies concluded by indicting the British government that, in collaboration with the Bush administration, it carried out 'the mass destruction of civilian targets and retreating Iraqi forces' and continues 'to impose a policy of sanctions against Iraq which intentionally deprives the Iraqi people of essential medicines, potable water, food and other necessities'.